

01-22-02

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jc846 U.S. PTO  
01/18/02

Patent Application

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stefan Keller-Tuberg

Entitled: **FACILITATING SIMULTANEOUS DOWNLOAD OF A MULTICAST  
FILE TO A PLURALITY OF END USER DOWNLOAD DEVICES**

11046 U.S. PTO  
10/051475  
01/18/02

Box PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

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*Martha Rocha*  
Signature

Dear Sir:

## REQUEST FOR FILING A NATIONAL PATENT APPLICATION

Transmitted herewith for filing, please find the following:

- X 1. Specification, claims and abstract of the above-referenced patent application having 35 pages.
- X 2. 4 sheet(s) of drawing(s) (X formal / \_ informal) comprising Figures 1 through 3B.
- X 3. Declaration and executed Power of Attorney's (X signed \_\_\_ unsigned).
- \_\_\_ 3A. No filing fee, Oath, or Declaration is enclosed pursuant to 37 C.F.R. 1.53(d).
- \_\_\_ 4. Information Disclosure Statement along with Form PTO-1449 and references.
- \_\_\_ 5. This is a: \_\_\_ Continuation-In-Part; \_\_\_ Divisional; \_\_\_ Continuation;  
\_\_\_ substitute Application (MPEP 201.09) of Application Serial No. \_\_\_ filed \_\_\_;  
\_\_\_ reissue of U.S. Patent No. \_\_\_ filed on \_\_\_\_.
- An extension to extend the life of the above prior Application to at least the date of filing hereof

ALCATEL135881

10051475-011802

Patent Application

(One box must be marked)

- (a)\_\_\_ is concurrently being filed in that prior Application,  
(b)\_\_\_ was previously filed in that prior Application,  
(c)\_\_\_ is not necessary for copendency.

X 6. Attached is an assignment to Alcatel, société anonyme. Please return the recorded assignment to the undersigned.

X 7. Priority is claimed under 35 U.S.C. § 119/120 based on filing in United States.

Application No.

Filing Date

(1) 60/286,212 April 24, 2001

(2)

(3)

\_\_\_ (No.) Certified copy (copies) \_\_\_ are attached; or \_\_\_ were previously filed on \_\_\_.

X 8. Attached is Form PTO/SB/35 NonPublication Request Under 35 U.S.C. 122(b)(2)(B)(i).

\_\_\_ 9. Attached: \_\_\_ (No.) verified statement(s) establishing "small entity" status under 37 CFR § 1.9 and 1.27.

X 10. Attached:

X Return Postcard  
\_\_\_ (Other)

\_\_\_ 11. Preliminary Amendment:

Prior to a first Office Action, kindly amend the Application as follows:

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# Patent Application

12. The following Filing Fee calculation is based on the claims filed less any claims canceled by the Preliminary Amendment of Item 11.

					SMALL ENTITY RATE	OR	LARGE ENTITY RATE	=	
BASIC FEE					\$370		\$740	=	\$ 740.00
	NUMBER FILED			NUMBER EXTRA					
TOTAL CLAIMS	55	-20	=	35 (at least 0)	x 9	OR	x 18	=	\$ 630.00
INDEP. CLAIMS	4	-3	=	1 (at least 0)	x 42	OR	x 84	=	\$ 84.00
If any <u>proper</u> multiple dependent claim (ignore improper) is present (Enter \$0.00 if this is a <u>reissue</u> application.)					+\$135	OR	+\$270	=	+\$ _____
If assignment is x'd (item 6), add recording fee \$40.00									+\$ 40.00
Attached is a Rule 47 Petition (inventor refuses to sign or cannot be reached) \$130									+\$ 00.00
<b>TOTAL FILING FEE</b>									<b>= \$ 1494.00</b>

- \_\_\_\_\_ 13. A check in the amount of \_\_\_\_\_ to cover the Filing Fee calculated in Item 11 is attached. Please charge any deficiency or credit any overpayment to Simon, Galasso & Frantz PLC Deposit Account No. \_\_\_\_\_.
- X   14. Please charge SIMON, GALASSO & FRANTZ PLC, Deposit Account No. 50-1259 in the amount of \$1,494.00 the Filing Fee calculated in Item 12. This sheet is attached in duplicate.
- \_\_\_\_\_ 15. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, and to have and cause any necessary petition for extension of time to be filed and any fees necessary to be paid for said extension of time OR credit any overpayment to SIMON, GALASSO & FRANTZ PLC Deposit Account No. \_\_\_\_\_, for which purpose a duplicate copy of this sheet is attached. **The Commissioner is not authorized to charge the issue fee until/unless an issue fee transmittal form is filed.**

Patent Application


X 16. Customer Number or Bar Code Label



24587

PATENT TRADEMARK OFFICE

Respectfully submitted,  
Stefan Keller-Tuberg

By:   
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Reg. No. 43,124

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10084475-041903  
208110-5415001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	<i>Stefan Keller-Tuberg</i>
Title	<i>FACILITATING SIMULTANEOUS DOWNLOAD OF A MULTICAST FILE TO A PLURALITY OF END USER DOWNLOAD DEVICES</i>
Atty Docket Number	<i>Alcate/135881</i>

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

*1/18/2002*  
Date

*[Signature]*  
Signature

*David D. Simmons*  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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